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Voluntary Public

Date: 27.09.2012

GAIN Report Number: RS1257

Russian Federation

Post: Moscow

New Regulations on Conformity and Labeling of New Products

Report Categories:

Policy and Program Announcements

FAIRS Subject Report

Sanitary/Phytosanitary/Food Safety

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Report Highlights:

On September 18, 2012, the Government of Russia (GOR) issued Decrees No. 942 and No. 943 that specify the requirements for declarations of conformity and labeling of products, including agricultural products, released into circulation in the Russian market for the first time. This report contains the final versions of Decrees No. 942 and No. 943, which are expected to come into force in early October, 2012. It is not believed these measures have been notified to the World Trade Organization (WTO).

General Information:

On September 18, 2012, the Government of Russia (GOR) issued Decrees No. 942 and No. 943 that specify the requirements for declarations of conformity and labeling of products, including agricultural products, released into circulation in the Russian market for the first time. This report contains the final versions of Decrees No. 942 and No. 943, which are expected to come into force in early October, 2012. It is not believed these measures have been notified to the World Trade Organization (WTO).

Russia's Federal Law No. 184-fz of December 27, 2002, "On Technical Regulation," defines products released into circulation for the first time as products, which have not been in circulation on the territory of the Russian Federation before, or which have been in circulation before but whose qualities or characteristics have since changed.

GOR Decree No. 942

GOR Decree No. 942 of September 18, 2012, "On the Procedure for Declaring Conformity of Products Released into Circulation for the First Time," specifies the form of declaration of conformity, which shall be used to declare conformity of products that are released into circulation on the Russian market for the first time and that are subject to mandatory certification or conformity declaration. Russia's current lists of products that are subject to mandatory certification or conformity declaration are established by [GOR Decree No. 982 of December 1, 2009](#). For more details on Decree No. 982 of December 1, 2009, please see GAIN report [RS1015 Declaration of Conformity Replaces Certification for Many Products](#).

GOR Decree No. 943

GOR Decree No. 943 of September 18, 2012, "On the Specifics of Marking Products Released into Circulation for the First Time, Including with a Market Circulation Mark or a Conformity Mark and the Procedure for Informing Purchasers, Including Consumers, about the Potential Harm of Such Products and the Factors Causing such Harm," specifies the labeling requirements for products that are released into circulation in the Russian market for the first time and that are subject to mandatory certification or conformity declaration.

As a draft, the decree was made available for public comment in May 2012. For additional details please see GAIN report [RS1234 Draft Regulation on Marking of New Products](#).

An unofficial translation of GOR decrees No. 942 and No. 943 of September 18, 2012, follows:

BEGIN UNOFFICIAL TRANSLATION:

**DECREE OF THE GOVERNMENT OF THE RUSSIAN FEDERATION No. 942 OF
SEPTEMBER 18, 2012, "ON THE PROCEDURE FOR DECLARING CONFORMITY OF
PRODUCTS RELEASED INTO CIRCULATION FOR THE FIRST TIME"**

In accordance with Article 46, paragraph 10, of the Federal Law "On Technical Regulation," the Government of the Russian Federation resolves hereby:

1. To establish that prior to entry into force of the relevant technical regulations, declaration of conformity of products released into circulation for the first time and belonging to the type of products included in the unified list of products that are subject to mandatory certification, or to the products that are subject to conformity declaration on the basis of a third party evidence, when normative legal acts of the federal executive bodies, establishing mandatory requirements in accordance with Article 46, paragraph 1, of the Federal Law "On Technical Regulation," are unavailable or inapplicable in relation to such products, shall be carried out on the basis of the manufacturer's (entity's, performing the functions of a foreign manufacturer) own evidence in accordance with the Procedure for Adoption of a Declaration of Conformity and its Registration, approved by Decree of the Government of the Russian Federation No. 766 of July 7, 1999.

2. Declarations of conformity in relation to the products, stated in paragraph 1 of the present Decree, shall be executed according to the attached form.

Chairman of the Government
of the Russian Federation

D. Medvedev

Attachment
to Decree of Government of the Russian Federation
No. 942 of September 18, 2012

Form

DECLARATION
of conformity of products released into circulation for the first time

(Name of the company or last name, first name, and middle name of the individual
entrepreneur, which adopted the declaration of conformity)

(Information about registration of the company or the individual
entrepreneur (registration date, registration number))

(address, phone, fax)

Represented by _____
(title, last name, first name, and middle name of the company head, on
whose behalf adopted the declaration of conformity is adopted)

States that _____

(name, type, brand of the products, to which the declaration of conformity applies,

code OK 005-93 and (or) TN VED CU, information about the serial production or the lot (lot number, numbers of articles, details of the agreements (contract), delivery document, name of the manufacturer, country))

Meets the requirements _____
(designation of the companies' standards, technical specifications

and other documents, establishing requirements to such products)

The Declaration of conformity was adopted on the basis of _____
(information about the

documents being the basis for adoption of the declaration of conformity)

Date of adoption of the declaration of conformity _____

The Declaration of conformity is valid until _____

Stamp _____
(signature) (initials, last name)

Information about registration of the Declaration of conformity _____
(name and address

of the certification body, which registered the declaration of conformity)

(date of registration and registration number of the declaration of conformity)

Stamp _____
(signature) (initials, last name of the head of the certification body)

END UNOFFICIAL TRANSLATION.

BEGIN UNOFFICIAL TRANSLATION:

DECREE OF THE GOVERNMENT OF THE RUSSIAN FEDERATION No. 943 OF SEPTEMBER 18, 2012, “ON THE SPECIFICS OF MARKING PRODUCTS RELEASED INTO CIRCULATION FOR THE FIRST TIME, INCLUDING WITH A MARKET CIRCULATION MARK OR A CONFORMITY MARK, AND THE PROCEDURE FOR INFORMING PURCHASERS, INCLUDING CONSUMERS, ABOUT THE POTENTIAL HARM OF SUCH PRODUCTS AND THE FACTORS CAUSING SUCH HARM”

For the purpose of implementation of Article 25, paragraph 3, and Article 46, paragraph 10, of the Federal Law “On Technical Regulation,” the Government of the Russian Federation resolves hereby:

1. To approve the attached Specifics of Marking Products Released into Circulation for the First Time, Including with a Market Circulation Mark or a Conformity Mark, and the Procedure for Informing Purchasers, Including Consumers, about the Potential Harm of Such Products and the Factors Causing Such Harm.

2. To establish that certificates of conformity and declarations of conformity that were issued (adopted) prior to entry into force of the present decree, shall be deemed valid until the end of the period specified therein, within the limits of the shelf-life or service life of the products, established in accordance with the legislation of the Russian Federation. The products and (or) packaging, released into circulation on the territory of the Russian Federation upon the above stated documents, shall not be subject to re-marking with a conformity mark.

Chairman of the Government
of the Russian Federation

D. Medvedev

Specifics of Marking Products Released into Circulation for the First Time, Including with a Market Circulation Mark or a Conformity Mark, and the Procedure for Informing Purchasers, Including Consumers, about the Potential Harm of Such Products and the Factors Causing Such Harm

(Approved by Decree of the Government of the Russian Federation No. 943 of September 18, 2012)

1. In order to prevent actions misleading purchasers (consumers), the market circulation mark or a conformity mark placed on the products released into circulation for the first time, shall be accompanied by the following information statement: “Products released into circulation for the first time.”

Products released into circulation for the first time shall be marked according to the present Specifics during the first year from the start of their production.

2. Marking of products released into circulation for the first time shall, in addition to the marking established by the legislation of the Russian Federation, shall contain the following information on the consumer package, the label, the package insert, or accompanying documents placed into each consumer package or attached to each consumer package:

a) about the products that are subject to mandatory certification, in case mandatory certification of such products was not performed, and which shall be marked with a statement “Mandatory certification was not performed;”

b) about the products that are subject to conformity declaration on the basis of a third party evidence, in case the manufacturer (entity performing the functions of a foreign manufacturer) carried out conformity declaration on the basis of its own evidence, and which shall be marked with a statement “When adopting a declaration of conformity, no third party evidence was used;”

c) about the harm of such products and the factors causing such harm.

3. Marking of products released into circulation for the first time, which are not intended for children and may cause harm to their health and (or) development, must additionally include information on the prohibition of their use or application in the presence of children or by children themselves.

4. Marking of products released into circulation for the first time made in the form of a picture showing the possible use of such products should be accompanied by the following words, “Option of use (application).”

5. The information envisaged by the present Specifics shall be placed in a clear, comprehensible, and intelligible form by any method ensuring its integrity during the whole period of the products’ shelf-life or service life.

6. The information statement concerning the unpacked products released into circulation for the first time, which are sold by retail organizations, shall be communicated to the purchaser, including the consumer, by any method ensuring a conscious choice of such products.

END UNOFFICIAL TRANSLATION.